

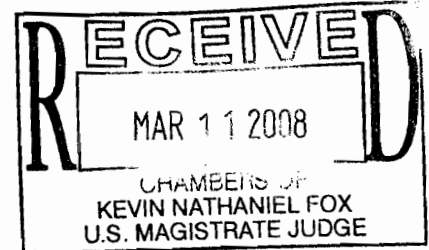
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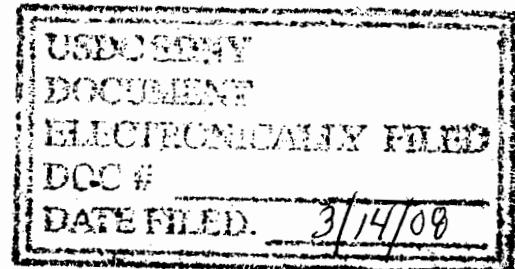
**MEMO ENDORSED**

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March 11, 2008

**VIA FACSIMILE (212) 805-6705**

The Honorable Kevin Nathaniel Fox  
 United States Magistrate Judge  
 United States District Court  
 500 Pearl Street, Room 540  
 New York, New York 10007



Re: Nephry Cruz, et al. v. US Health Clean  
07 Civ. 6392 (LTS)(KNF)

Dear Magistrate Judge Fox:

As an attorney at Epstein Becker & Green, P.C. ("EBG"), I have appeared in the above-referenced action on behalf of defendant US Health Clean. A settlement conference is scheduled to take place in this action on Tuesday, March 18, 2008 at 10:30 a.m., but I write to bring to the Court's attention certain circumstances which may lead the Court to adjourn that settlement conference.

Please note that today we filed a motion to withdraw as counsel to defendant as a result of information (EBG previously represented plaintiffs in other matters) that counsel for plaintiffs brought to my attention for the first time on Friday, March 7, 2008. Counsel for plaintiff has indicated that plaintiffs do not oppose our motion to withdraw. A courtesy copy of those motion papers is being hand-delivered to you at Room 540 this afternoon. My client does not yet have replacement counsel.

As we have sought to withdraw as defendant's counsel herein and defendant is currently seeking new counsel, we respectfully ask for the Court's guidance as to whether the settlement conference should go forward on March 18 or be adjourned. Thank you for your consideration of this matter.

Very truly yours,

*David J. Clark*

David J. Clark

cc: Marc A. Tenenbaum, Esq. (Counsel for plaintiffs, via facsimile 212-943-9082)

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3/14/08

Based on the above, prudence dictates that the March 18, 2008 settlement conference be adjourned, sine die, until the defendant's motion, to have its counsel cease providing legal services to it in this action, is resolved.

It is SO ORDERED:

Kevin Nathaniel Fox, U.S.M.J.

\*\* TOTAL PAGE.02 \*\*